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BEFORE THE ARIZONA CORPORATION COMMISSION

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2009 OCT 26 P 3:00

Arizona Corporation Commission

DOCKETED

OCT 26 2009

KRISTIN K. MAYES - Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY

DOCKET NO. E-20690A-09-0346

**STAFF'S NOTICE OF INTENT TO
PROVIDE A SUPPLEMENTAL WITNESS**

IN THE MATTER OF THE APPLICATION OF
SOLARCITY CORPORATION FOR A
DETERMINATION THAT WHEN IT
PROVIDES SOLAR SERVICE TO ARIZONA
SCHOOLS, GOVERNMENTS, AND NON-
PROFIT ENTITIES IT IS NOT ACTING AS A
PUBLIC SERVICE CORPORATION
PURSUANT TO ART. 15, SECTION 2 OF THE
ARIZONA CONSTITUTION.

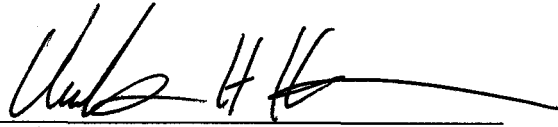
Arizona Corporation Commission ("Commission") Utilities Division Staff ("Staff") hereby provides notice of intent to make Mr. Elijah Abinah available as a supplemental witness in the proceedings in the above captioned matter. Staff believes that having Mr. Abinah available will be a convenience to the Commissioners and the ALJ.

Over the course of proceedings in this matter, a number of questions have been articulated by witnesses in oral testimony that involve high level policy issues. Among other things, these topics have included the purpose of regulation, what constitutes light handed regulation, and what potential features may be present in light handed regulation should the Commission determine that regulation is appropriate. Staff has pre-filed testimony dealing primarily with facts relating directly to the nature of the Applicant's proposed method of conducting business.

Insofar as these broad ranging policy questions are not specifically addressed by the factual issues contained in Mr. Irvine's pre-filed testimony, Mr. Abinah, as Utilities Division Assistant Director will, if so desired by the Commissioners or ALJ, be able to address these matters. For example, should additional policy questions or considerations arise that Mr. Irvine would necessarily have to consult with a director in order to address, the proceedings will not need to be disrupted for Staff to perform such consultation.

1 Consequently, Staff believes that having Mr. Abinah available as a witness, will contribute to
2 a more effective and efficient consideration of these challenging issues and will avoid rather than
3 create potential delay or disruption in this proceeding.

4 RESPECTFULLY SUBMITTED this 26th day of October, 2009.

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13 were filed this 26th day of October,
14 2009, with:

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19 A copy of the foregoing was mailed this 26th
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